

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JAMES DARRIN,

Plaintiff,

Case No. 3:12-cv-349

-vs-

District Judge Timothy S. Black  
Magistrate Judge Michael R. Merz

:

TIMOTHY FRANZ GEITHNER,

Defendant.

---

**NOTICE REGARDING SERVICE OF PROCESS**

---

This action is before the Court *sua sponte*. The case was filed October 18, 2012, but no service of process has yet been made on the Defendant. Indeed, no process has yet been issued and the form of summons tendered with the Complaint is improper.

Under Fed. R. Civ. P. 4(m), service must be made within 120 days of filing. In this case, service must therefore be made by February 14, 2013, or the case will be dismissed for want of prosecution.

November 5, 2012.

s/ *Michael R. Merz*  
United States Magistrate Judge